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**From:** Sussman.Bob@epamail.epa.gov [Sussman.Bob@epamail.epa.gov]  
**Sent:** 11/29/2010 8:43:03 PM  
**To:** Enck.Judith@epamail.epa.gov  
**CC:** Conetta.Benny@epamail.epa.gov; Gilberg.Elliott@epamail.epa.gov; fischer.douglas@epa.gov; Garbarini.Doug@epamail.epa.gov; Woolford.James@epamail.epa.gov; king.david@epa.gov; Klawinski.Gary@epamail.epa.gov; Feldt.Lisa@epamail.epa.gov; Pavlou.George@epa.gov; schAAF.eric@epa.gov; simon.paul@epa.gov; Southerland.Elizabeth@epamail.epa.gov; Mugdan.Walter@epamail.epa.gov; wmichaelmccabe@earthlink.net  
**Subject:** Re: FYI: NRDC Blog on Hudson River Cleanup

Sounds good but after his introduction, a short summary of where we stand with GE would be helpful. I can do that, with an assist from the region.

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
(202)-564-7397  
US Environmental Protection Agency

 Judith Enck---11/29/2010 03:33:36 PM---I agree with walter. further, we should think about how to structure the meeting so it is the most

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**From:** Judith Enck/R2/USEPA/US

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**To:** Walter Mugdan/R2/USEPA/US@EPA

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**Cc:** Bob Sussman/DC/USEPA/US@EPA, Benny Conetta/R2/USEPA/US@EPA, Elliott Gilberg/DC/USEPA/US@EPA, fischer.douglas@epa.gov, Garbarini.Doug@epamail.epa.gov, James Woolford/DC/USEPA/US@EPA, king.david@epa.gov, Klawinski.Gary@epamail.epa.gov, Lisa Feldt/DC/USEPA/US@EPA, Pavlou.George@epa.gov, schAAF.eric@epa.gov, simon.paul@epa.gov, Southerland.Elizabeth@epamail.epa.gov, wmichaelmccabe@earthlink.net

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**Date:** 11/29/2010 03:33 PM

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**Subject:** Re: FYI: NRDC Blog on Hudson River Cleanup

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I agree with walter.

further, we should think about how to structure the meeting so it is the most productive it can be in one hour. I know for the meeting with New York state govt and the trustees they plan to have dec exec deputy commissioner stu gruskin open up the meeting to frame the state's views on the project for about ten minutes. Perhaps this could be followed by soliciting input on the following:

Their views on how Phase 1 went and lessons learned from phase 1.

How they view the role of capping in Phase 2.

Their views on technical issues such as DOC, number of passes, etc.

If time, their views on the Peer review report.

The people coming to both meetings are well versed on the details of the project. Since time is short and it could all be eaten up with us reporting the latest developments to them (that are not confidential), I think the dynamic should be us asking their views on the pressing issues related to the project.

logisitcs:

the 1pm meeting with the state is in ariel rios north but we don't know the room yet. right?

the 3:30 meeting with the NGO's is in ariel rios north room 3309

Judith Enck  
Regional Administrator  
U.S. Environmental Protection Agency  
290 Broadway  
New York, N.Y. 10007-1866  
(212) 637-5000

Walter Mugdan---11/29/2010 03:10:57 PM---When last we met with the NOGs on November 2 I explained the basic framework of how we expect to org

From: Walter Mugdan/R2/USEPA/US  
To: Bob Sussman/DC/USEPA/US@EPA  
Cc: Benny Conetta/R2/USEPA/US@EPA, Elliott Gilbert/DC/USEPA/US@EPA, Enck.Judith@epamail.epa.gov, fischer.douglas@epa.gov, Garbarini.Doug@epamail.epa.gov, James Woolford/DC/USEPA/US@EPA, king.david@epa.gov, Klawinski.Gary@epamail.epa.gov, Lisa Feldt/DC/USEPA/US@EPA, Pavlou.George@epa.gov, schaaf.eric@epa.gov, simon.paul@epa.gov, Southerland.Elizabeth@epamail.epa.gov, wmichaelmccabe@earthlink.net  
Date: 11/29/2010 03:10 PM  
Subject: Re: FYI: NRDC Blog on Hudson River Cleanup

When last we met with the NOGs on November 2 I explained the basic framework of how we expect to organize Phase 2. I explained that some capping is nearly inevitable, but that our intention is to limit the area that can be capped. I explained what was at that time our mental construct of three "buckets" -- (1) beyond GE's control, (2) "near miss" and (3) "far miss". As you know, our approach now is slightly different: (1) beyond GE's control, (2) all other capping and (3) a sub-category of (2) that further limits the amount of capping over "inventory".

I believe we can and should provide an explanation of our approach in this crucial area.

Also, today we sent to GE a document describing our current position on Resuspension and Load. A copy of that document is attached for your information, and I will arrange that it be shared with the NGOs immediately.

## Ex. 5 Deliberative Process (DP)

[attachment "Resuspension Standard.11 27.docx" deleted by Judith Enck/R2/USEPA/US]

Bob Sussman---11/29/2010 02:38:15 PM---Thanks Walter. I think we need some guidance on how to characterize our discussions with GE if press

From: Bob Sussman/DC/USEPA/US  
To: Walter Mugdan/R2/USEPA/US@EPA  
Cc: Benny Conetta/R2/USEPA/US@EPA, Elliott Gilbert/DC/USEPA/US@EPA, Enck.Judith@epamail.epa.gov, fischer.douglas@epa.gov, Garbarini.Doug@epamail.epa.gov, James Woolford/DC/USEPA/US@EPA, king.david@epa.gov, Klawinski.Gary@epamail.epa.gov, Lisa Feldt/DC/USEPA/US@EPA, Pavlou.George@epa.gov, schaaf.eric@epa.gov, simon.paul@epa.gov, Southerland.Elizabeth@epamail.epa.gov, wmichaelmccabe@earthlink.net  
Date: 11/29/2010 02:38 PM  
Subject: Re: FYI: NRDC Blog on Hudson River Cleanup

Thanks Walter.

I think we need some guidance on how to characterize our discussions with GE if pressed at the meeting. I do not think we can refuse to comment. I would prefer not to describe GE's proposals to us but feel we should be forthright about the

issues under discussion. What do others think?

Robert M. Sussman  
Senior Policy Counsel to the Administrator  
Office of the Administrator  
(202)-564-7397  
US Environmental Protection Agency

Walter Mugdan---11/29/2010 02:14:31 PM---You may wish to read this in advance of our meeting with the NGOs tomorrow:

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From: Walter Mugdan/R2/USEPA/US

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To: Sussman.Bob@epamail.epa.gov, Lisa Feldt/DC/USEPA/US@EPA, James Woolford/DC/USEPA/US@EPA, Southerland.Elizabeth@epamail.epa.gov, wmichaelmccabe@earthlink.net, Elliott Gilberg/DC/USEPA/US@EPA, Enck.Judith@epamail.epa.gov, Pavlou.George@epa.gov

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Date: 11/29/2010 02:14 PM

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Subject: FYI: NRDC Blog on Hudson River Cleanup

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You may wish to read this in advance of our meeting with the NGOs tomorrow:

----- Forwarded by Walter Mugdan/R2/USEPA/US on 11/29/2010 02:12 PM -----

From: "Levine, Larry" <llevine@nrdc.org>  
To: "Levine, Larry" <llevine@nrdc.org>  
Date: 11/29/2010 01:35 PM  
Subject: Blog post: Will Sound Science -- or Corporate Interests -- Rule the Day on Hudson PCBs Cleanup?

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I thought you might be interested in this new post:

[http://switchboard.nrdc.org/blogs/llevine/will\\_sound\\_science\\_-\\_or\\_corpo.html](http://switchboard.nrdc.org/blogs/llevine/will_sound_science_-_or_corpo.html)